

Appl. No. 10/821,059  
Amdt. Dated 04/26/2005  
Reply to Office Action of February 1, 2005

## REMARKS

### Status of Claims:

By way of the instant amendment, claims 19-22 had been canceled without prejudice and claims 23-25 have been added. Thus, claims 1-18, and 23-25 remain for examination.

### Claim Objection:

Claim 17 stands objected as the phrase "the edge" lacks antecedent basis. Claim 17 has been amended in accordance with the Examiner's suggestion.

### Prior Art Rejection:

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakajima (U.S. Patent No. 5,808,861) in view of Bosy (U.S. Patent No. 6,394,300). Applicants respectfully traverse the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the cited references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine the teachings of references. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or combination of references) must teach or suggest all of the claim limitations. *See MPEP §2143; See also In re Fine*, 873 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

As to the rejected claims, claims 1 and 7 are independent. Claim 1 includes the limitations of "a lock mechanism, which is covered with the cover" and "the lock mechanism unlocks the cover from the housing when a part of the lock mechanism is pressed in a direction from the cover toward the lock mechanism through the operation portion". Claim 7 includes the limitations of "a lock mechanism partially arranged on the cover and covered by the cover..." and "the lock mechanism... is unlocked when a part of the lock mechanism is

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pressed in a direction from the cover toward the lock mechanism through the operation portion.”

As to independent claims 1 and 7, neither Nakajima nor Bosy, alone or in combination, teaches or suggests the above described limitations, because, in Nakajima, the first and second hinge cover portions 367a and 367b are fixed to the second brackets 332 and 342 of the first and second hinge metal fixings 328 and 329 by means of screws 364 (see FIGS. 13, 48 and 49, and col. 26, lines 63-67).

The Examiner, citing Bosy, identifies a lock mechanism (40) which is covered with the cover (the top flat portion of element 34) and which locks the cover in housing; and an operation portion (34) which allows access to the lock mechanism from the outside of the housing and the cover, in order to unlock from the housing. However, in Bosy, the biased latch means 28 is clearly distinguished from the cover 22, and the cover 22 does not cover the biased latch means 28. For instance, Bosy does not describe the details including the exact shape of the top flat portion of element 34, and shows the cross sectional view in FIGs 4 to 6. In addition, in Bosy, to remove the cover of the battery compartment 18, the free leg 34 is pushed toward the cover 22 by the fingertip of the user (see FIG. 5 and Col. 3, line 10 – 12).

As a result, Bosy does not teach that a part of the lock mechanism is pressed in a direction from the cover toward the lock mechanism, and, as apparent, the direction of pressing in Bosy is different. Since the combination does not set forth each and every claim limitation set forth in the claims, a *prima facie* case of obviousness has not been established and withdrawal of the § 103(a) rejection is respectfully requested.

Applicants respectfully submit that the dependent claims are deemed to be patentable at least for the same reasons discussed above with respect to independent claims 1 and 7.

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Applicants have added new claim 23-25. Independent claim 23, in the similar fashion as claim 1 includes the more detailed limitation of "the lock mechanism including a press portion at a position corresponding to the hole of the cover and being unlocked when the press portion is pressed in a direction from the cover toward the lock mechanism through the hole". As such, claim 23 likewise distinguishes Applicants' invention over the prior art and should be considered patentable thereover. As such, dependent claims 24 and 25 should likewise be deemed patentable.

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**Conclusion**

In view of the forgoing, it is respectfully submitted that the present application is in condition for allowance and an early indication of allowance is respectfully requested.

The commissioner is hereby authorized to charge any additional fees, which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 02-2666. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 04/26/2005

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Susan McFarlane

04/26/2005

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